

Serial No.: 10/777,801

REMARKS

Status of Claims

Claims 1-33 are pending in the application. Claims 1-24 are under examination. Claims 25-33 are presently withdrawn from consideration.

Support for the amendment to claim 1 can be found, for example, in claims 2 and 3. No new matter is added.

Rejection under 35 USC §112, second paragraph

Claims 1-24 are rejected under 35 USC §112, second paragraph as allegedly being indefinite. This rejection is respectfully traversed.

According to the Office Action, is it unclear whether or not the release region, which comprises a polymer and a filler comprising inorganic platelet particles, also further comprises a therapeutic agent.

This is because in some embodiments, the release region comprises a therapeutic agent, whereas in other embodiments it does not. For example, as indicated in paragraphs [0014] to [0016] of the specification, release regions for use in accordance with the present invention include carrier regions and barrier regions. By "carrier region" is meant a release region which further comprises a therapeutic agent and from which the therapeutic agent is released. By "barrier region" is meant a region which is disposed between a source of therapeutic agent and a site of intended release. In all embodiments, however, the release region regulates the rate of release of the therapeutic agent from the medical article upon placement of the medical article at a position on or within a patient.

For clarification, claim 1 has been amended to explicitly recite that the release region is selected from the following: (a) a release region that comprises a therapeutic agent and (b) a release region that is disposed over a region that comprises a therapeutic agent.

Reconsideration and withdrawal of the rejection of claims 1-24 under 35 USC §112, second paragraph are requested.

Serial No.: 10/777,801

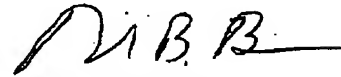
CONCLUSION

It is believed that all claims are presently in condition for allowance.

Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicants' attorney at (703) 433-0510 in order that any outstanding issues be resolved.

The Office is authorized to charge any fees required, to deposit account number 50-1047.

Respectfully submitted,



David B. Bonham
Registration No. 34,297

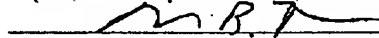
Attorney for Applicant
Mayer & Williams, PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
703-433-0510 Tel
703-433-2362 Fax

I hereby certify that this correspondence is being deposited with the
United States Patent and Trademark Office on

February 4, 2008 via facsimile to: 571-273-8300.

David B. Bonham

(Printed Name of Person Mailing Correspondence)


(Signature)